

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA	)	
	)	Case No. 1:19-cr-70
v.	)	
	)	Judge Travis R. McDonough
AUSTEN LAYNE	)	
	)	Magistrate Judge Christopher H. Steger
	)	

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**ORDER**

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United States Magistrate Judge Christopher H. Steger filed a report and recommendation [Doc. 41] recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Counts One and Two (lesser included offense) of the three count Indictment; (2) accept Defendant's guilty plea to Counts One and Two (lesser included offense) of the three count Indictment; (3) adjudicate Defendant guilty of Hobbs Act Robbery in violation of 18 U.S.C. § 1951 and use of a firearm during and in relation to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(i); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 41] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Counts One and Two (lesser included offense) of the three count Indictment is **GRANTED**;

2. Defendant's plea of guilty to Counts One and Two (lesser included offense) of the three count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Hobbs Act Robbery in violation of 18 U.S.C. § 1951 and use of a firearm during and in relation to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(i); and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place before the undersigned on **November 6, 2020, at 9:00 a.m.**

**SO ORDERED.**

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH**

**UNITED STATES DISTRICT JUDGE**